NIXON VANDERHYE PC Fax 703+816+4100 Jan 21 2009 02:48pm P001 Before the Board of Patent Appeals and Interferences

In re Patent Application of

Confirmation No. 1938 COMBES et al TC/A.U.: 2884

Serial No. 10/563 056 Filed: January 3, 2006 Title: THERMAI DETECTOR

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Atty Dkt. SCS-124-1142 C# M#

> Examiner: C. Igyarto Date: January 21, 2009

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**FACSIMILE CERTIFICATE** I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on January 21, 2009, specifically to 571-273-8300.

> inature C. Spooner Red. No. 27,393

No. of pages transmitted (including

Sir:		this cover sheet):		pages
	Correspondence Address Indication Form Attached.			
⊠	NOTICE OF APPEAL Applicant hereby appeals to the Board of from the last decision of the Examiner twice applicant's claim(s).		\$	540.00
	An appeal BRIEF is attached in the pending appeal of the above-identified application \$540.00 (1402)/\$270.00 (2402)		\$	
	Credit for fees paid in prior appeal without	decision on merits	-\$ (	-
	A reply brief is attached.			(no fee)
Ø	Pre-Appeal Brief Request for Review form attached.			
⊠	Petition is hereby made to extend the current due date so as to cover the filing date of this Depart and attachment(s)		\$	490.00
	Less month extension previously pa	aid on	-\$(	1
_		TOTAL FEE ENCLOSED	\$	1030.00
Г7.	CREDIT CARD PAYMENT FOR	M ATTACHED.		

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge the above-noted fee(s), any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140.

901 North Glebe Road, 11th Floor Arlington, Virginia 22203-1808 Telephone: (703) 816-4000 Facsimile: (703) 816-4100 SCS:kmm

Signature:

NIXON & VANDERHYE P.

By Atty: Stanley C. Spooner